

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PETRIX DESROSIERS,

Plaintiff,

**Order**

CV-05-2941 (CBA) (JMA)

-against-

WILLIAM PHILLIPS,

Defendant.

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A P P E A R A N C E S:

Petrix Desrosiers  
#03A1578  
Woodbourne Correctional Facility  
99 Prison Road  
P.O. Box 1000  
Woodbourne, NY 12788-1000  
*Pro Se Petitioner*

Ellen C. Abbot  
Queens County District Atty's Office  
125-01 Queens Blvd  
Queens, NY 11415-1568  
*Attorney for Respondent*

**AZRACK, United States Magistrate Judge:**

On April 14, 2006, petitioner informed the Court that he had not received a copy of the Affidavit and Memorandum of Law in Opposition to Motion to Amend the Writ of Habeas Corpus by William Phillips (Dkt No. 15 (04/19/06)). Respondent indicated at the time of filing that he had mailed a copy of the filing to petitioner (Dkt No. 11 (12/16/05)). However, petitioner was moved from the Green Haven prison facility to Woodbourne mere days before the respondent's filing, and there is a real possibility that the papers may not have reached petitioner (Dkt No. 12 (12/14/05)). Since petitioner states he had not received the filing as of April 14, 2006, respondent is hereby ordered to serve a copy of the Affidavit and the Memorandum of Law on petitioner at Woodbourne Correctional Facility. Petitioner has thirty days from receipt of those documents to file a Reply with the Court.

SO ORDERED.

Dated: Brooklyn, New York  
April 24, 2006

\_\_\_\_\_/s/\_\_\_\_\_  
JOAN M. AZRACK  
UNITED STATES MAGISTRATE JUDGE